

### Remarks

Claims 1, 8 and 17 have been amended, and claims 1-4, 6, 8-13, 15 and 17-20 remain in the application. Re-examination and reconsideration of the application, in view of the amendments above and the remarks below, are respectfully requested.

The Examiner rejected all of the claims under either 35 U.S.C. §102(b) or 35 U.S.C. §103(a) on the basis of British Patent No. 2,238,062 and/or British '062 in combination with either Virginia Metalcrafters "In The Garden" 1997 or Japanese Patent No. 408010294. Of the claims, claims 1, 8 and 17 are independent claims. All of the independent claims have been amended to recite that the pedestal includes a column, with the ornament being mounted to the column of the pedestal. In addition, and for consistency, claims 8 and 17 have been amended to call for the receptacle, which is adapted to receive cremation remains, to be removably received in the column of the pedestal. Finally, and also for consistency, claim 17 has also been amended to call for the annular gasket to be interposed and compressed between the ornament and the column of the pedestal.

The independent claims, as amended, now even more clearly define over the principal reference, British '062, as British '062 discloses no such pedestal having a column. For that matter, it is respectfully submitted that British '062 does not even disclose a pedestal, contrary to the Examiner's assertion. Nevertheless, Applicant has amended the claims to even more clearly define over the references, and it is submitted that all of the claims are now in a condition for allowance.

In view of the above, it is submitted that all of the claims still pending are now in a condition for allowance. Re-examination of the application is respectfully requested, and an early Notice of Allowance is earnestly solicited.

Respectfully submitted,

WOOD, HERRON & EVANS

By: 

Wayne L. Jacobs  
Reg. No. 35,553

2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202  
Phone: (513) 241-2324  
Fax: (513) 421-7269